

1. A facility currently is permitted as a minor source, or synthetic minor source, for criteria pollutants and for hazardous air pollutants. It currently has potential to emit for GHGs greater than 100,000 tpy CO<sub>2</sub>e, but actual emissions are less than 100,000 tpy CO<sub>2</sub>e. It wants to get a synthetic minor permit for GHGs before it has to submit a Title V application. When does the company need to submit its synthetic minor permit application?
  - a. October 1, 2011
2. A facility is currently permitted as a minor source, or synthetic minor source, for criteria pollutants and for hazardous air pollutants. It currently has potential to emit for GHGs greater than 100,000 tpy CO<sub>2</sub>e. It plans to apply for a Title V permit. When must the Title V application be submitted?
  - a. July 1, 2012
3. A facility that currently has a Title V permit is also subject to EPA's Mandatory Greenhouse Gas Reporting Rule. When does the Title V permit need to be reopened to add the requirements of the Mandatory Greenhouse Gas Reporting Rule?
  - a. Never. The Mandatory Greenhouse Gas Reporting Rule is not an "applicable requirement" under Title V. See 74 FR 56288 - "As currently written, the definition of "applicable requirement" in 40 CFR 70.2 and 71.2 does not include a monitoring rule such as today's action, which is promulgated under CAA sections 114(a)(1) and 208."
4. EPA has effectively set the major source threshold for GHGs at 100,000 tpy CO<sub>2</sub>e through the Tailoring Rule. Is this level going to be lowered in 2012?
  - a. As of November 2010, "No." EPA has stated that they plan to complete additional rulemaking by July 1, 2012 to consider lowering the permitting threshold from 100,000 tpy CO<sub>2</sub>e to some level between 50,000 tpy CO<sub>2</sub>e and 100,000 tpy CO<sub>2</sub>e. However, as of November 2010, they have not proposed any such rule change.
5. For new construction projects, including modifications at existing major sources, when will construction applications have to start reporting their GHG potential to emit?
  - a. January 1, 2011, but only for projects whose potential to emit of GHG exceeds 75,000 tpy CO<sub>2</sub>e. In addition, facilities w/ pending applications for projects whose potential to emit of GHG exceeds 75,000 tpy CO<sub>2</sub>e should also revise their applications to report their GHG potential to emit.

NOTE: Projects that have already been permitted, but do not plan to begin actual construction before July 1, 2011 should check their GHG potential

to emit to ensure that they are not subject to the PSD regulations under Step 2 (new project with GHG PTE > 100,000 tpy or modification at existing (GHG PTE > 100,000 tpy) source with GHG PTE > 75,000 tpy).

6. An existing Title V source is about to submit its Title V permit renewal application (or modification). When will Title V permit renewal applications (or modification without construction) have to start reporting their GHG potential to emit?
  - a. July 1, 2011. Title V applications submitted before this date will not have to report (or be resubmitted later to report) their GHG potential to emit.
7. An existing Title V source is not about to submit its Title V permit renewal application (or modification). Will these sources be required to reopen their Title V permits, to address GHGs, before the term of the permit expires?
  - a. No. The requirement to reopen a Title V permit is only for newly applicable requirements with a remaining permit term of 3 or more years (see 40 CFR 70.7(f) and Final Tailoring Rule at 75 FR 31536). Since there would be no newly applicable requirements, there would be no reason to reopen the permit prior to its renewal. Note, for existing sources, Georgia EPD implements a combined PSD and Title V permitting program. Therefore, any PSD permit modification issued to an existing source would simultaneously be processed as a Title V permit amendment that would include GHG provisions if applicable.
8. Are fugitive GHG emissions included when determining Title V applicability?
  - a. The fugitive emissions of a stationary source shall not be considered in determining whether it is a major stationary source for the purposes of Title V applicability, unless the source belongs to one the 27 stationary source categories listed within the definition of major source in 40 CFR 70.2.
9. Are fugitive GHG emissions included when determining PSD applicability?
  - a. The fugitive emissions of a stationary source shall not be included in determining for any of the purposes of this section whether it is a major stationary source, unless the source belongs to one of the 27 stationary source categories listed within the definition of major source in 40 CFR 52.21(b)(1).